

REMARKS

Claims 1-36 were previously canceled without prejudice. Claims 37, 47, 50, and 56 are amended. New claims 71 – 78 are added. Claim 37 and 47 have been amended to address that the composition is one of a nonaqueous gel containing hydrophobic polymer, a hydrogel, and a pressure sensitive adhesive. Claim 50 has been amended to correct an obvious clerical error. Claims 47 and 56 have been amended to address that an adhesive is used to retain the composition on the individual. Support for the amendments can be found, for example, in the specification on pages 12-13, 16-17 and the drawings. New claims 71 – 78 are added to address methods of making a transdermal fenoldopam delivery device. Support for the new claims can be found throughout in the specification and the original claims. No new matter is added. Claims 37 – 78 are pending.

35 USC §101 Rejection

The Examiner rejected claims 37-70 under 35 USC §101 as claiming the same invention as that of claims 1-34 of US Patent No. 6,699,497. Insofar as the rejection is maintained over the amended claims, Applicants respectfully traverse the rejection.

As stated above, Claims 37, 47, 50 and 56 have been amended. Withdrawal of the rejection is respectfully requested.

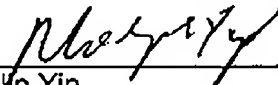
CONCLUSION

Applicants submit the pending claims are novel and nonobvious over prior art and comply with the requirements of 35 USC 112 and 35 USC §101. The examination and passage to allowance of the pending claims are respectfully requested. An early Notice of Allowance is therefore earnestly solicited. Applicants invite the Examiner to contact the undersigned at (650) 564-7054 to clarify any unresolved issues raised by this response.

Applicants hereby authorize the Director to charge Deposit Account 10-0750 in the amount of \$350.00 for excess claims, per the attached fee transmittal sheet. If it is determined that underpayment or overpayment has been made, the Director is authorized to debit or credit the said deposit account, respectively.

Respectfully submitted,

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